

BellSouth Telecommunications, Inc.
Legal Department
1500 Williams Street
Suite 5200
Columbia, SC 29201

patrick.turner@bellsouth.com

Patrick W. Turner
General Counsel-South Carolina

803 401 2900
Fax 803 254 1731

May 4, 2004

The Honorable Bruce Duke
Executive Director
Public Service Commission of SC
Post Office Drawer 11649
Columbia, South Carolina 29211

Re: Petition for Arbitration of US LEC of South Carolina Inc. Of an Amendment to
an Interconnection Agreement with BellSouth Telecommunications, Inc. Pursuant
to Section 252(b) of the Communications Act of 1934, as Amended
Docket 2004-78-C

Dear Mr. Duke:

Enclosed for filing are the original and fifteen copies of BellSouth Telecommunications, Inc.'s Motion for Two-Day Extension of Arbitration Plan and Schedule in the above-referenced matter.

By copy of this letter, I am serving this motion on all parties of record as reflected by the attached Certificate of Service.

Sincerely,



Patrick W. Turner

PWT/nml
Enclosures
cc: Parties of Record
PC Docs # 537103

RECEIVED
2004 MAY -4 AM 11:08
COMM-F

**BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA**

In Re:)
)
Petition for Arbitration of US LEC of South Carolina Inc.)
Of an Amendment to an Interconnection Agreement with)
BellSouth Telecommunications, Inc. Pursuant to)
Section 252(b) of the Communications Act of 1934,)
as Amended)
)
Petition of US LEC of South Carolina Inc. to Resolve)
Dispute with BellSouth Telecommunications, Inc. on)
Change of Law Provisions to the Interconnection)
Agreement)
_____)

Docket No. 2004-78-C

RECEIVED
2004 MAY -4 AM 11:08
SC PUBLIC SERVICE COMMISSION

**BELLSOUTH TELECOMMUNICATIONS, INC.'S
MOTION FOR TWO-DAY
EXTENSION OF ARBITRATION PLAN AND SCHEDULE**

BellSouth Telecommunications, Inc. ("BellSouth") respectfully requests the Public Service Commission of South Carolina ("the Commission") to enter an "Order Amending Arbitration Plan and Schedule" that extends all deadlines in this proceeding, as well as the hearing date, by two days. US LEC of South Carolina, Inc. ("US LEC") does not object to this Motion. Additionally, BellSouth and US LEC have jointly conferred with the Commission's Staff, who have confirmed the availability of the new hearing dates proposed by BellSouth and who have not expressed any opposition to this Motion. For the Commission's convenience, Exhibit A to this Motion is a Proposed Order Amending Arbitration Plan and Schedule.


On April 15, 2004, the Commission entered its Order Establishing Arbitration Plan and Schedule. Among other things, this Order requires BellSouth to pre-file its direct testimony on May 4, 2004, and it provides that the hearing in this matter will begin at 2:30 p.m. on Tuesday, May 18, 2004. BellSouth has diligently worked on its direct testimony and respectfully request two additional days to prepare and file this testimony. As noted above, US LEC does not oppose this request.

Granting BellSouth's request will not prejudice US LEC because the request includes a two-day extension of all deadlines in the Order Establishing Arbitration Plan and Schedule. Similarly, granting BellSouth's request will not prejudice the Commission or its Staff because the request includes a two-day extension of the hearing date, such that the hearing would begin on May 20 and conclude on May 21 (if, in fact, two days are necessary for this hearing).¹ BellSouth and US LEC have jointly confirmed the Commission's availability for hearing on May 20-21, 2004 with the Commission's Staff.

BellSouth, therefore, respectfully requests the Commission to adopt Exhibit A, which is a Proposed Order Amending Arbitration Plan and Schedule that extends all deadlines in this proceeding, as well as the hearing date, by two days.

Respectfully submitted, this 4th day of May 2004.

BELLSOUTH TELECOMMUNICATIONS, INC.



PATRICK W. TURNER
1600 Williams Street, Suite 5200
Columbia, South Carolina 29201
(803) 401-2900

R. DOUGLAS LACKEY
E. EARL EDENFIELD JR.
JAMES MEZA III
BellSouth Center – Suite 4300
675 West Peachtree Street, N.E.
Atlanta, Georgia 30375
(404) 335-0763

ITS ATTORNEYS

537039

¹ US LEC's Petition presented approximately 28 issues for the Public Service Commission of South Carolina ("the Commission") to resolve in this proceeding. As a result of continuing negotiations between the parties, only approximately 8 issues remain in this proceeding. Two hearing days, therefore, are more than sufficient for this proceeding.

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2004-78-C

IN RE: Petition of US LEC of South Carolina, Inc. for) **PROPOSED ORDER**
Arbitration of an Amendment to an) **AMENDING**
Interconnection Agreement with BellSouth) **ARBITRATION PLAN**
Telecommunications, Inc. Pursuant to Section) **AND SCHEDULE**
252(b) of the Communications Act of 1934, as)
amended.)

2004 MAY -4 PM 11:00

RECORDED

This matter comes before the Public Service Commission of South Carolina ("Commission") on a Motion for Two-Day Extension of Arbitration Plan and Schedule filed by BellSouth Telecommunications, Inc., on March 16, 2004. In its Motion, BellSouth states that it has diligently worked on its direct testimony and respectfully request two additional days to prepare and file this testimony. BellSouth also requests that all remaining deadlines, as well as the hearing date, be extended by two days. BellSouth states that it has conferred with US LEC, that US LEC does not oppose this request, and that US LEC will not be prejudiced because BellSouth's request includes a two-day extension of all remaining deadlines in the Commission's April 15, 2004 Order Establishing Arbitration Plan and Schedule. BellSouth further states that granting BellSouth's request will not prejudice the Commission or its Staff because the request includes a two-day extension of the hearing date.

After carefully considering BellSouth's Motion, the Commission finds that it should be granted. Accordingly, the deadlines and hearing dates set forth in the Commission's April 15, 2004 Order Establishing Arbitration Plan and Schedule are amended as follows:

The Arbitration Hearing in this Docket shall begin at **11:00 a.m. on Thursday, May 20, 2004**, in the Commission Hearing Room.

The Commission hereby orders that twenty-five (25) copies of the direct testimony and exhibits of US LEC shall be prefiled on or before **April 22, 2004**. Further, twenty-five (25) copies of the direct testimony and exhibits of BellSouth shall be prefiled on or before **May 6, 2004**.

US LEC shall prefile any rebuttal testimony and exhibits on or before **May 13, 2004**. Further, BellSouth shall prefile any surrebuttal testimony and exhibits on or before **May 17, 2004**. It should be noted that acceptance of surrebuttal testimony and exhibits is subject to the discretion of the Commission.

The Parties shall file prehearing briefs with the Commission on or before **May 13, 2004**.

To the extent that it is not amended herein, the Commission's April 15, 2004 Order Establishing Arbitration Plan and Schedule remains in full force and effect.

This Order shall remain in full force and effect until further Order of the Commission.

Respectfully submitted,



Patrick W. Turner
1600 Williams Street, Suite 5200
Columbia, South Carolina 29201
803-401-2900
patrick.turner@bellsouth.com

ATTORNEY FOR BELL SOUTH
TELECOMMUNICATIONS, INC.

STATE OF SOUTH CAROLINA

)

)

CERTIFICATE OF SERVICE

COUNTY OF RICHLAND

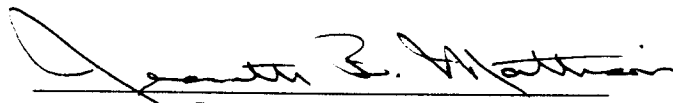
)

The undersigned, Jeanette B. Mattison, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, Inc. ("BellSouth") and that she has caused BellSouth Telecommunications, Inc.'s Motion for Two-Day Extension of Arbitration Plan and Schedule in Docket No. 2004-78-C to be served on the following this May 4, 2004:

F. David Butler, Esquire
General Counsel
S. C. Public Service Commission
Post Office Box 11649
Columbia, South Carolina 29211
(PSC Staff)
(Electronic Mail and US Mail)

Florence P. Belser, Esquire
S. C. Public Service Commission
Post Office Box 11649
Columbia, South Carolina 29211
(PSC Staff)
(U. S. Mail and Electronic Mail)

Faye A. Flowers, Esquire
Parker, Poe, Adams & Bernstein LLP
1201 Main Street, Suite 1450
Columbia, South Carolina 29201
(ITC^DeltaCom)
(U. S. Mail and Electronic Mail)



Jeanette B. Mattison